

2007 APR 25 PM 3:22

CITY OF OAKLAND**AGENDA REPORT**

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: May 8, 2007

RE: **A Resolution Authorizing The City Administrator To Accept and Appropriate Seven Hundred Forty Thousand Dollars (\$740,000.00) from the Friends of Oakland Parks and Recreation (FOPR) and Any Additional Funds raised by FOPR for and Donated to the project and To Amend The Phase I Raimondi Park Project Agreement With FOPR To Include Construction Management Services and Increase the Contract Amount by Two Hundred Fifty Thousand Dollars (\$250,000.00) for a Total Contract amount not to exceed Five Hundred Twenty-Five Thousand Dollars (\$525,000.00) And a Resolution Authorizing the City Administrator To Award A Construction Manager At-Risk Contract To McGuire and Hester For An Amount Not To Exceed Five Million Dollars (\$5,000,000.00) For Phase I Raimondi Park Project Construction**

SUMMARY

Resolutions have been prepared to accept and appropriate \$740,000.00 in project funding (and additional funds as they become available) from Friends of Oakland Parks and Recreation (FOPR) for Phase I of the Raimondi Park project to amend the original Agreement with the FOPR for development and design services to add project and construction management services for an additional amount of \$250,000.00 and to authorize award of a Construction Manager At-Risk (CMAR) Contract for the Phase I Raimondi Park Renovation Project for an amount not to exceed \$5,000,000.00, including \$20,000.00 for pre-construction services, to McGuire and Hester, an Oakland-based business.

On July 11, 2006, City Council approved a resolution authorizing the City Administrator to waive the competitive selection process and enter into an agreement with FOPR for the development and design of the Raimondi Park project. FOPR requested approval of this funding agreement to procure a design consultant to complete the design plan and meet the condition of a private grant requirement. The City and FOPR entered into a contract for \$275,000.00 for services, which included project development and design (\$200,000.00), design phase project management (\$40,000.00) and FOPR design phase administrative costs (\$35,000.00) on January

Item: _____
Public Works Committee
May 8, 2007

26, 2007. FOPR conducted a request for proposal/qualification process and selected the most qualified group, The Alley Group, a local project management firm, to provide project and construction management services for the Project. FOPR now requests an amendment to its agreement to include construction administration and construction management services for the Raimondi project for an additional amount of \$250,000.00. Council waiver of the competitive request for proposal/qualifications process is required for this amendment. With the amendment the total contract between the City and FOPR, for the Phase I Raimondi Park project services including all design, project management, construction management and administrative services will not exceed Five Hundred Twenty-Five Thousand Dollars (\$525,000.00), including contingency.

The need to immediately commence with the construction phase of the project is necessary to prevent loss of private grant funding for the project. In order to preserve \$700,000.00 (plus \$100,000.00 for a future phase) in funding from the Valley Foundation, construction must start in September 2007 as stipulated by the grantor. At this time, the design documents are anticipated to be completed by June 31, 2007. If the project utilizes the traditional design-bid-build project delivery process, the construction deadline will be missed since the length of time required for that process is approximately five months after completion of design documents. The loss of the Valley Foundation funds would diminish the viability of the entire Raimondi Park project. The Construction Manager At-Risk (CMAR) method of contracting is an alternate method of construction authorized in the City's Purchasing Ordinance. The CMAR method allows selection of the construction contract through a competitive process prior to completion of the design documents.

FOPR advertised a Request for Proposal for a CMAR contractor. Proposals were submitted on March 21, 2007. Two proposals were received. They were reviewed on March 22, 2007, by a selection panel comprised of City staff, FOPR members, and design and project management consultants. Both firms were deemed responsive and participated in the interview and evaluation process on April 4, 2007. The selection panel recommends McGuire and Hester as the most qualified firm, having experience in sports field construction in the Bay Area and offering the best value. The use of a CMAR contract for this project allows the City to obtain the contractor's input during the design phase and expedite the procurement process so that the project can begin construction in September 2007, thereby meeting the grantor's deadline and preserving project funding.

The approval of the proposed contract amendment and contract award will contribute to Mayor and City Council goals to build community and foster livable neighborhoods and to provide effective programs for Oakland youth, seniors, and people with disabilities.

FISCAL IMPACT

The current total project budget for Phase I is \$3,640,000.00. This amount includes \$740,000.00 raised by FOPR and \$2,900,000.00 from the City from the following sources:

- ♦ \$200,000.00 from Measure K General Obligation Bond Series 2000D; and
- ♦ \$2,500,000.00 from the Murray-Hayden Grant Program from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002;
- ♦ \$100,000.00 from the State Recycled Tire Grant; and
- ♦ \$100,000.00 ADA Grant.

The amendment to the FOPR agreement will provide that FOPR allocate the \$740,000.00 of private grants and donations (and additional funds as they are obtained for the project) to the City for the Raimondi CMAR contract. The City account for these funds will be established after Council acceptance and approval of the aforementioned resolutions. The Friends of Oakland Parks and Recreation and the community continue to seek additional funds through grants and fund-raising for the Phase I Raimondi Park renovation project. If they are successful, additional money will be added to the project prior to the completion of construction.

The current construction budget of \$3,000,000.00 will change if additional funds become available. FOPR and the Community are actively soliciting additional funding for the park project and hope to raise two million dollars more for project construction. For that reason, authorization to award a CMAR contract up to \$5,000,000.00 is requested. The final contract price will be determined by the Contractor's fixed fee plus the actual subcontractors' bid prices and the construction budget.

The fee for FOPR's construction management services is a cost included in the project budget. The funding source is: Fund 2134, Project C245520. The funds for the CMAR contract are also included in the project budget, in Fund 2134, Project C245520 in the amount of \$2,260,000.00. FOPR's fee is funded from the State Murray-Hayden grant. The \$740,000.00 from FOPR, together with the City funds, will cover the cost of the construction contract. If FOPR raises additional dollars, the construction budget will increase up to \$5 million and allow for community improvements to be constructed in addition to the fields, which are required as a condition of the State grant. Other project costs include City contract compliance, project coordination/grant administration, surveying, geotechnical and environmental services, and public art.

BACKGROUND

Raimondi Park is located at 1800 Wood Street in West Oakland. The park, one of the most heavily used parks in the City, has a baseball diamond and a multi-purpose large open grass area used for various sports. A new overall concept plan was developed in 2003 and 2004 by FOPR with input from the community and the City.

Because of the lack of adequate funds to complete the entire park restoration at one time, a phased plan was developed. The current Raimondi Park project is Phase I of the park's renovation.

Project Approach

The project is currently in design. The anticipated design completion date is mid-July 2007. If the design-bid-build process were utilized it would take approximately five months to bid and award a construction contract to the contractor after completion of the design documents. The bid and award schedule would miss the deadline imposed by FOPR's private grantor to start construction and result in a loss of funds for a City project. To meet the grantor's deadline, a selection panel made up of FOPR and City representatives selected a CMAR contractor, prior to completion of design documents, based on qualifications and best value. The CMAR contractor will become part of a collaborative team working to meet project deadlines.

Under the CMAR project delivery method, the CMAR provides the project team with pre-construction services during the first part of the contract for an amount not to exceed \$20,000.00. These services include cost estimating, scheduling, value engineering, constructability reviews and bidding of the project out to trade subcontractors under the services provided.

The second part of the contract is for construction. The contractor is required to competitively bid out the construction work for the project to trade subcontractors on a per-trade basis. The total for subcontractor costs will be established upon completion of the subcontractor bidding/negotiation process. At that time, the final contract price for the construction of the project will be established. The final contract price is the sum of the subcontractor costs plus contractor's markup and contractor's overhead, fee for services and contractor's construction costs, if any.

KEY ISSUES AND IMPACTS

FOPR desires to provide design, project management and construction management services for the project. Based on the concept plan for the park and to meet the timeline requirements of their grants, FOPR has contracted with a licensed landscape architectural firm specializing in sports field design to complete the construction documents for Phase I improvements. For project continuity and efficiency, it is recommended that FOPR continue the project by providing additional services needed to complete the project, including construction management services. Due to the value of these additional services Council waiver of the competitive request for proposal/qualifications process is required.

To help expedite the schedule, it is recommended that a CMAR contractor provide services as part of the project team. The CMAR will be required to meet the City's Local Business Enterprise Programs (LBE/SLBE) for the entire project.

There will be additional opportunities for L/SLBE participation in the construction phase as the CMAR will be required to advertise and solicit subcontract bids in accordance with LBE/SLBE programs.

Two contractors, McGuire and Hester and Cooper Pugeda Management, Inc., submitted proposals in response to FOPR's Request for Qualifications. Both proposals were reviewed and both firms were interviewed. McGuire and Hester is a certified local contractor and was selected as the contractor most capable of providing required services for the best value. Cooper Pugeda Management, Inc., is not a certified local contractor and did not submit a subcontractors list.

PROJECT DESCRIPTION

The project is to redesign and renovate Raimondi Park in order to provide new sports fields, infrastructure upgrades, disability access and community elements. Phase I includes ADA access, a new baseball diamond, a new synthetic turf, multi-purpose field, field lighting, curb, gutter and sidewalk improvements along 18th Street and community amenities. A prioritized list of community elements has been developed, that includes a track, putting green, tot lots, picnic tables, benches, bleachers, additional lighting and landscape improvements. The Phase I improvements will be included in the final construction project to the extent funding permits.

SUSTAINABLE OPPORTUNITIES

Economic: The project will generate jobs for Oakland residents, and business tax, sales tax and other revenues for the City by those contractors and suppliers who work on the project. FOPR is an Oakland-based organization.

Environmental: The renovated playing fields will be designed to conserve water and to minimize maintenance. The new artificial turf field will reduce peak storm water run-off. The project design will incorporate sustainable design elements and will utilize recycled-content materials wherever possible.

Social Equity: The park project design elements will provide community and City recreational amenities, upgrade the playing fields and street infrastructure. The park will be used by neighborhood children and youth and provide league play for sports teams in a quality sportsfield playing environment.

DISABILITY AND SENIOR CITIZEN ACCESS

The park will be designed to comply with the California Code of Regulations, Title 24, ADA Accessibility Guidelines and the Americans with Disabilities Act. Physical features for disability access include accessible children's play area, accessible restrooms and accessibility to the park and its fields.

RECOMMENDATION(S) AND RATIONALE

Staff recommends that the City Council approve a resolution to accept and appropriate FOPR's project funding, to waive the competitive request for proposal/qualifications process for construction administration and management services needed to complete the project and to amend the FOPR contract to include construction management and construction administration services in the delivery of the Raimondi Park project and increase the contract by \$250,000.00. With the amendment the total contract between the City and FOPR shall not exceed \$525,000.00. This action is requested to expedite the project and to provide continuity in the management of the project and to meet private grant funding deadlines.

Staff also recommends that the City Council approve a resolution to award a CMAR contract in an amount not to exceed \$5,000,000.00 for pre-construction and general contractor services for the Phase I Raimondi Park project. This action is requested to allow the design team access to contractor's estimates, value engineering, scheduling, and constructability reviews for delivering the project within the expedited timeline.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council approve the two afore mentioned resolutions to amend the FOPR professional services contract, accept, and appropriate FOPR funds and award the CMAR contract for Phase I of the Raimondi Park project.

Respectfully submitted,

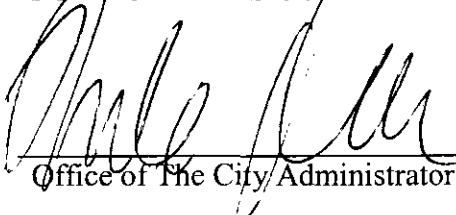


Raul Godinez II, Director
Public Works Agency

Reviewed by:
Michael Neary, Assistant Director
Design & Construction Services

Prepared by:
Edith Landrith-Robertson, CIP Coordinator
Project Delivery Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



Office of The City Administrator

Item: _____
Public Works Committee
May 8, 2007



Memo

Office of the City Administrator

Contract Compliance & Employment Services Division

To: Gwen McCormick, PWA
 From: Shelley Darensburg, Contract Compliance Officer, CC&ES Division
 Through: Deborah Barnes, CC&ES Manager *DBarnes*
 CC: Edith Landrith-Roberson
 Date: April 17, 2007
 Re: **Compliance Analysis:**
Raimondi Field Renovation, Phase I
Project No. C245520

Contract Compliance & Employment Services reviewed the proposal received in response to the above referenced project. Below is the outcome of our compliance evaluation for the twenty percent (20%) minimum Local and Small Local Business Enterprise (L/SLBE) Program participation requirement and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

The L/SLBE findings are as follows:

Company Name	Bid Amount	Discounted Bid Amount	Proposed Participation					Banked Credits	EBO Compliant Y/N
			Total L/SLBE	LBE	SLBE	Local Trucking	Total Credited		
McGuire & Hester	\$4,415,890	N/A	100%	81%	19%	0%	38%	0	Y

As noted above, the bidder exceeded the minimum 20% L/SLBE participation requirement and is EBO compliant.

For informational Purposes:

The chart below provides a summary of the Local Employment Program (LEP) and the Oakland Apprenticeship Program goals achieved by the bidder on the Altheim Senior Housing Project, the firm's most recently completed project with the City of Oakland.

Contractor	Total Hrs.	Resident Hrs.	LEP Goal Hrs.	Oakland App Hrs.	15% App Utilization Goal	15% App Shortfall
McGuire & Hester	1888.75	1,057.50	944.38	283.31**	283.31	-0-
	100%	56%	50%	15%	15%	-0-%

*Actual employment **exceeded** the 50% LEP goal.

Actual employment **met 15% Apprenticeship goal (223.00 hrs. on project and 60.31 hrs. on non-City of Oakland project(s))

If you have questions or need additional information, please contact Shelley Darensburg, Contract Compliance Officer, at 238-7325.

Contract Compliance and Employment Services Evaluation Form

Project No.: C245520

Project Name: Raimondi Park, Phase I

Contractor: McGuire & Hester

Contractor's Bid Amount: \$4,415,890

Bid Discounts 0%

Contractor's Adjusted Bid Amount

1. Did the 20% requirements apply?

Yes

2. Did the contractor meet the 20% requirement?

Yes

a) % of LBE 81%

b) % of SLBE 19%

3. Did the contractor receive bid discounts?
(If yes, list the points received)

No

0%

4. Additional Comments.

5. Date evaluation completed and returned to Contact Admin./Initiating Dept.

4/16/2007

Reviewing

Officer:

Shelley Darsenburg

Date:

4/16/2007

Approved By:

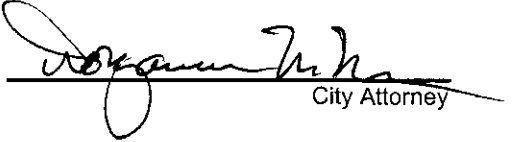
Deborah Bauer

Date:

LBE/SLBE Participation Bidder 1

Project Name: **Raimondi Park, Phase 1**

Project No.: C245520		Engineers Est: \$419,740				Under/Over Engineers Estimate: \$3,996,150						
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	Total L/SLBE	L/SLBE Trucking	Total Trucking	Total Dollars	For Tracking Only (Self-Reported)		
										Ethn.	MBE	WBE
PRIME: Electrical	McGuire & Hester Ray's Electric	Oakland	CB	3,585,890		3,585,890			3,585,890	C		
		Oakland	CB		830,000	830,000			830,000	C		
Project Totals				\$3,585,890	\$830,000	\$4,415,890	\$0	\$0	\$4,415,890		\$0	\$0
				81%	19%	100%	0%	100%	100%		0%	0%
Requirements: The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements.				LBE 10%	SLBE 10%	Total L/SLBE				Ethnicity AA = African American AP = Asian Pacific Islander C = Caucasian H = Hispanic NA = Native American NL = Not Listed		
Legend				LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				



 City Attorney
OFFICE OF THE CITY CLERK
OAKLAND

2007 APR 25 PM 3:22

OAKLAND CITY COUNCIL**RESOLUTION No. _____ C.M.S.**

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE SEVEN HUNDRED FORTY THOUSAND DOLLARS (\$740,000.00) FROM THE FRIENDS OF OAKLAND PARKS AND RECREATION (FOPR) AND ANY ADDITIONAL FUNDS RAISED BY FOPR FOR AND DONATED TO THE PROJECT, TO WAIVE THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS PROCESS AND TO AMEND THE PHASE I RAIMONDI PARK PROJECT AGREEMENT WITH FOPR TO INCLUDE CONSTRUCTION MANAGEMENT SERVICES AND INCREASE THE CONTRACT AMOUNT BY TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$525,000.00)

WHEREAS, Raimondi Park is an existing park identified for renovation and rehabilitation under the City's Capital Improvement Plan for FY 2003-2005 budget, located at 1800 Wood Street; and

WHEREAS, the Raimondi Park renovation project ("Project") involves design and renovation of the multipurpose ball field, the baseball diamond, community elements and infrastructure improvements as funding allows (Phase I); and

WHEREAS, Friends of Oakland Parks and Recreation ("FOPR"), a local non-profit organization, has solicited and received grants and pledges for the Project and is continuing to solicit additional funds for the Project; and

WHEREAS, FOPR wishes to design and construct Phase I of the concept plan developed for the Project with the community and City and the City entered into an agreement with FOPR dated January 26, 2007 in the amount of \$275,000.00 for said development and design services for Phase I of the Project; and

WHEREAS, the City now wishes to amend the agreement with FOR in order to for them to perform construction management and other services needed for the Project, and to increase the agreement amount by Two Hundred Fifty thousand dollars (\$250,000.00) to pay for said services; and

WHEREAS, FOPR conducted a competitive request for proposal/qualifications process and selected an Oakland construction management firm (The Alley Group) to provide project and construction management and other services needed; and

WHEREAS, the City of Oakland received funding totaling \$2,900,000.00 for this project from: 1) \$2,500,000.00 from the State of California Murray-Hayden Grant (C245520, Fund 2134); 2)

\$200,000.00 from Measure K General Obligation Bond Series 2000D (C245510, Fund 5014); 3) \$100,000.00 from California Integrated Waste Management Recycled Tire Grant (C245540, Fund 2992); and 4) \$100,000.00 from ADA Funds (C274280, Fund5200); and

WHEREAS, FOPR will provide \$740,000.00 from private donations and grants and there is a combined total project budget from City and FOPR of \$3,640,000.00; and

WHEREAS, FOPR is required to hire properly licensed consultants capable of fulfilling the City's programs requirements for LBE/SBLE, prevailing wage, equal benefits and insurance; and

WHEREAS, the development of the Project will benefit the City and the Oakland community at Large; and

WHEREAS, services obtained under contracts approved hereunder are professional, scientific or technical and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator, or her designee, to accept and appropriate \$740,000.00 in funds as well as any additional funds raised and donated by FOPR to the Phase I Raimondi Park project without return to Council; and be it

FURTHER RESOLVED: That pursuant to Oakland municipal Code section 2.04.051.B and findings contained in the City Administrator's report accompanying this Resolution, the City Council finds and determines that it is in the best interest of the City to waive the competitive request for proposal/qualification process for FOPR for construction management services for Phase I of the Raimondi Park Project in light of the competitive selection process FOPR used to select the firm they will hire to provide the services; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, or her designee to increase the contract with FOPR, dated January 26, 2007 for Phase I Raimondi Park Project development, and design services by an amount of Two Hundred Fifty Thousand dollars (\$250,000.00) for additional services including construction management services for the Project, for a total contract amount not-to-exceed Five Hundred Twenty-Five Thousand Dollars (\$525,000.00); and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, as agent of the City, to conduct all negotiations and execute and submit all documents, including, but not limited to applications, contracts, amendments and payment requests, in compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned Project; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, as agent of the City, to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments and payment requests, in compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned Project; and

be it

FURTHER RESOLVED: That contract amendment shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

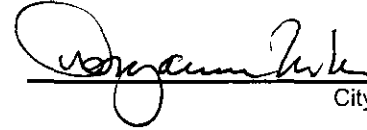
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
 PRESIDENT DE LA FUENTE,

NOES-
ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California



 City Attorney

 OFFICE OF THE CITY CLERK
 OAKLAND

 2007 APR 25 PM 3:23 **OAKLAND CITY COUNCIL**
RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION MANAGER AT-RISK CONTRACT TO MCGUIRE AND HESTER IN AN AMOUNT NOT-TO-EXCEED FIVE MILLION DOLLARS (\$5,000,000.00) FOR THE PHASE I RAIMONDI PARK PROJECT

WHEREAS, Raimondi Park is an existing park identified for renovation and rehabilitation under the City's Capital Improvement Plan for FY 2003-2005 budget and is located at 1800 Wood Street; and

WHEREAS, the Raimondi Park renovation project ("Project") involves design and renovation of the multipurpose ball field, the baseball diamond, community elements and infrastructure improvements as funding allows (Phase I); and

WHEREAS, the City wishes to complete design and construct Phase I of the concept plan developed for the park with the community and City; and

WHEREAS, the City of Oakland has received funding totaling \$2,900,000.00 for this project as follows: 1) \$2,500,000.00 from the State of California Murray-Hayden Grant (C245520, Fund 2134); 2) \$200,000.00 from Measure K General Obligation Bond Series 2000D (C245510, Fund 5014); 3) \$100,000.00 from California Integrated Waste Management Recycled Tire Grant (C245540, Fund 2992); and 4) \$100,000.00 from ADA Funds (274280, Fund5200); and

WHEREAS, Friends of Oakland Parks and Recreation (FOPR), a local non-profit organization, will provide \$740,000.00 from private donations and grants and will continue to procure funds for the project; and

WHEREAS, FOPR and the City have solicited and received Proposals from contractors to provide Construction Manager at Risk services for the development, design and construction of Phase I Raimondi Park project; and

WHEREAS, FOPR and the City decided to use the Construction Manager at Risk project delivery method because the method provides contractor input during design, expertise in construction and results in a complete construction price; and

WHEREAS, FOPR and the City selected the construction firm of McGuire and Hester in a competitive request for proposal/qualifications process to serve as the Construction Manager at Risk which will require them to assist in preparation of construction plans and specifications, bid the work, hire the necessary licensed constructors, construct the Phase I Raimondi Park project and insure and bond the work; and

WHEREAS, the development and construction of the Project would benefit the City and the Oakland community at large; and

WHEREAS, contracts awarded hereunder are professional, scientific or technical and temporary in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to negotiate and award a Construction Manager at Risk contract to McGuire and Hester for the construction of the Phase I Raimondi Park project in an amount not to exceed Five Million Dollars (\$5,000,000.00) and to execute any amendments or modifications of said contract within the limitations of the project specifications; and be it

FURTHER RESOLVED: That the contractor shall be required to meet all City of Oakland contracting policies and programs including, but not limited to, local and small local business enterprise, equal benefits and local and apprenticeship hiring; and be it

FURTHER RESOLVED: That the contractor shall be required to insure the work and provide faithful performance and payment bonds for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of Public Works for this project are hereby approved; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator, as agent of the City, to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments and payments requests, in compliance with all applicable current state and federal laws which may be necessary for the completion of the aforementioned Project; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES— BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE,

NOES—
ABSENT—

ABSTENTION—

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California